

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X Civil Case No. 07-3491(PKC)(THK)

JOHN GRANGER, Pro Per,

Plaintiff,

-against-

**NOTICE OF APPEARANCE**

GILL ABSTRACT CORPORATION  
and NAN GILL (Individual),

Defendants.

-----X  
**PLEASE TAKE NOTICE**, that the undersigned attorneys appear in this action on behalf of Defendants Gill Abstract Corporation and Nan Gill, and request that all papers and proceedings be served upon such undersigned attorneys at the address and e-mails set forth below.

Yours, etc,

**UNCYK, BORENKIND & NADLER, L.L.P.**

Dated: September 10, 2008  
New York, New York

By.....

  
ELI UNCYNK (EU 3989)

Attorneys for Defendants  
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**TO:** John Granger, Plaintiff  
2820 Audubon Village Drive, Suite 339  
Audubon, Pennsylvania 19403  
Tel: (610) 929-5154

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK           )  
  : SS.:  
COUNTY OF NEW YORK       )

**VALERIE BRISSETT**, being duly sworn, says:

I am not a party to the action, am over 18 years of age, and reside in Brooklyn, New York.

On September 11, 2008, I served true copies of the annexed **NOTICE OF APPEARANCE** by mailing the same in a sealed envelope, first class mail, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known addresses of the addressees as indicated below:

John Granger, Plaintiff  
2820 Audubon Village Drive, Suite 339  
Audubon, Pennsylvania 19403

and

by filing same with the Clerk of the Court, electronically

  
**VALERIE BRISSETT**

Sworn to before me this  
11<sup>th</sup> day of September, 2008

  
Notary Public

**MYRON NADLER**  
Notary Public, State of New York  
No. 02NA809280  
Qualified in New York  
Commission Expires Dec 31, 2010

**MYRON NADLER**  
Notary Public, State of New York  
No. 02NA809280  
New York County  
Commission Expires December 31, 2010

**UNCYK, BORENKIND & NADLER, LLP**

COUNSELORS AT LAW

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ELI UNCYK  
ALAN BORENKIND  
MYRON R. NADLER

JEFFREY S. KOFSKY  
MATTHEW B. MILLMAN

September 11, 2008

**To be filed electronically by Sender**

Honorable Theodore H. Katz  
U.S. Magistrate Judge  
500 Pearl Street, Rm. 1660  
New York, NY 10007

Re: **Granger v. Gill**  
**United States District Court, SDNY**  
**Civil Case #: 07-3491(PKC)(THK)**

Honorable Sir:

We have been retained by Defendants Gill Abstract Corporation and Nan Gill (Individual) in the above-referenced matter. Our Notice of Appearance is enclosed herewith.

We understand there is a filing entitled "Notice of Plaintiff's Motion for Sanctions for Destruction of Evidence," which may have been served upon Defendants' prior counsel on or about August 29, 2008, and entered on the case's docket sheet on September 3, 2008 (Doc. 53). We also note that this court issued an Order on August 8, 2008, and entered August 14, 2008, granting the application of Defendants' prior counsel to withdraw (Doc. 52).

We ask that the motion (Doc. 53) be stricken for failure of service, and that Plaintiff be admonished with respect to a clear violation of Rule 5 of the Federal Rules of Civil Procedure regarding service, and the implicit stay of proceedings until September 12, 2008, by which time Defendants were to obtain new counsel.

Respectfully,

  
Eli Uncyk

EU:vb

Encl.

cc: John Granger (w/encl.)  
Nan Gill (w/encl.)

